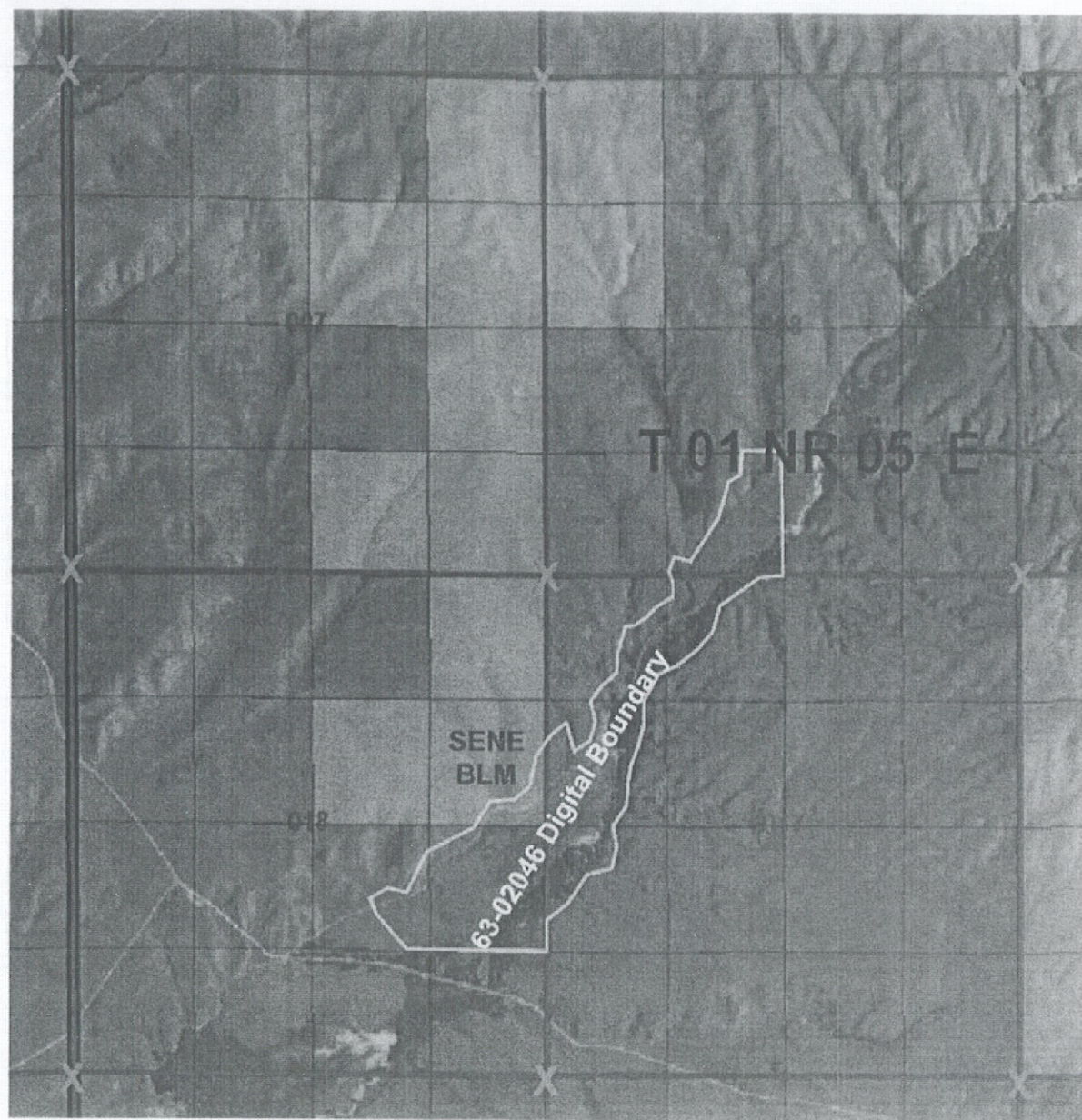
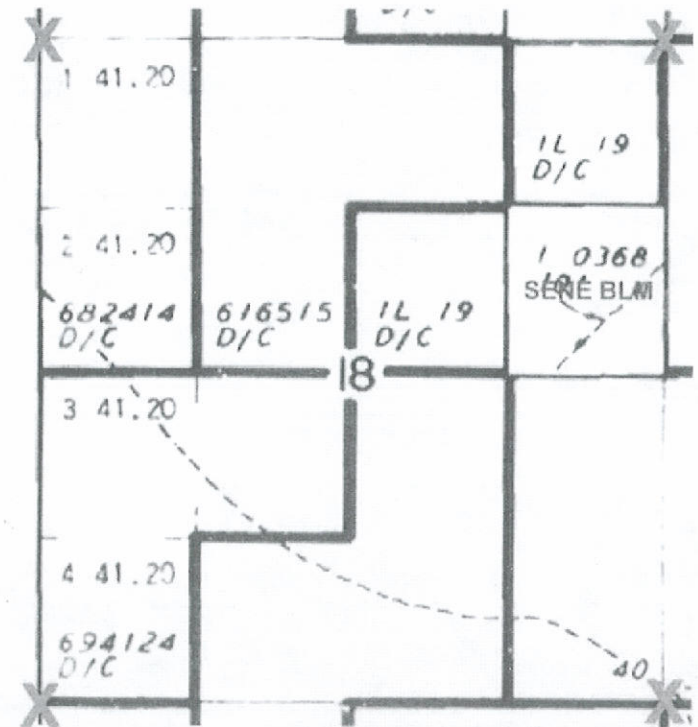
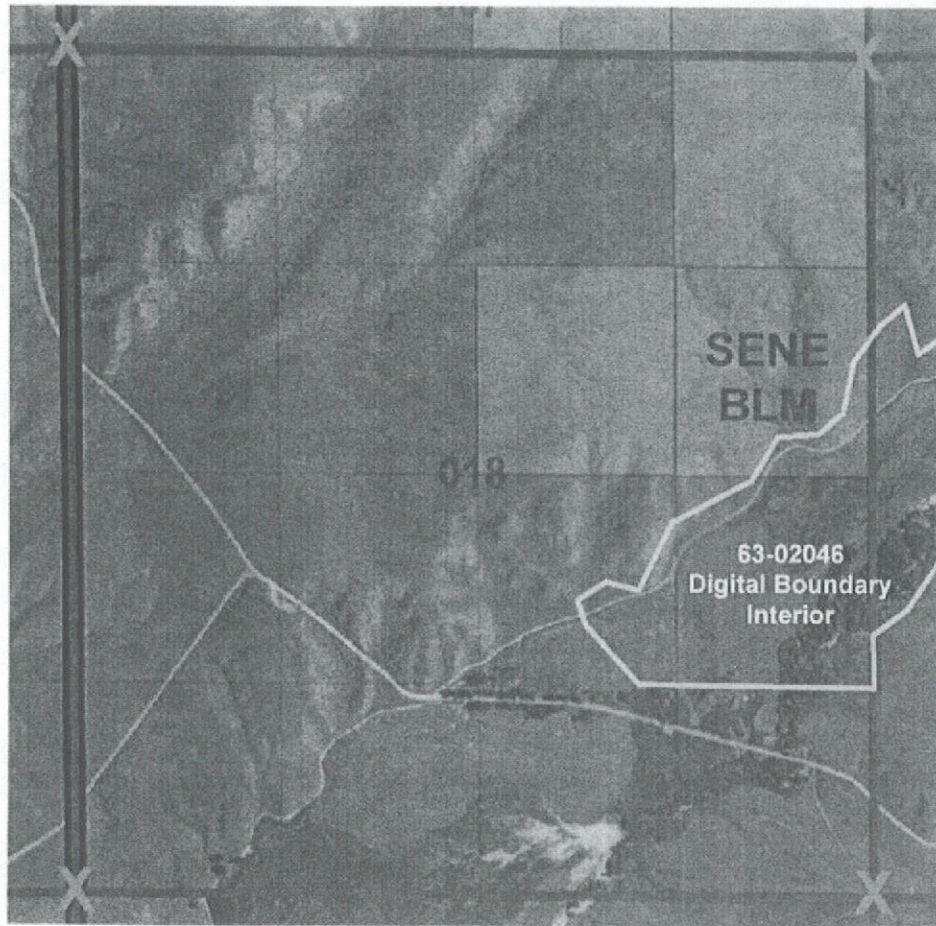


SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

27-02046



27-02046
T01N R05E S18

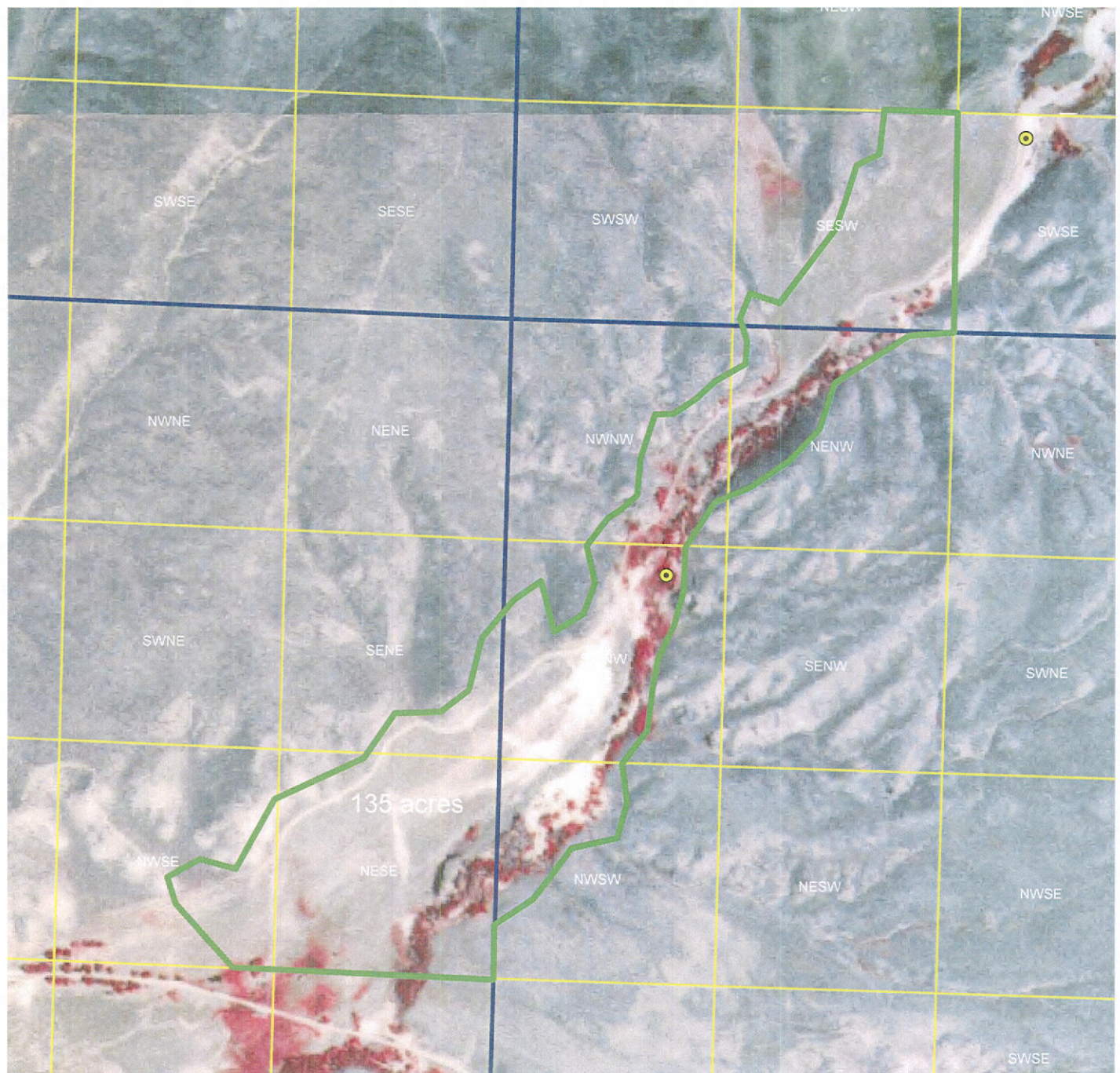


-Remove POU on BLM and adjust shapefile accordingly.

Idaho Department of Water Resources

63-2046

T01N R05E S8, 17, 18



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



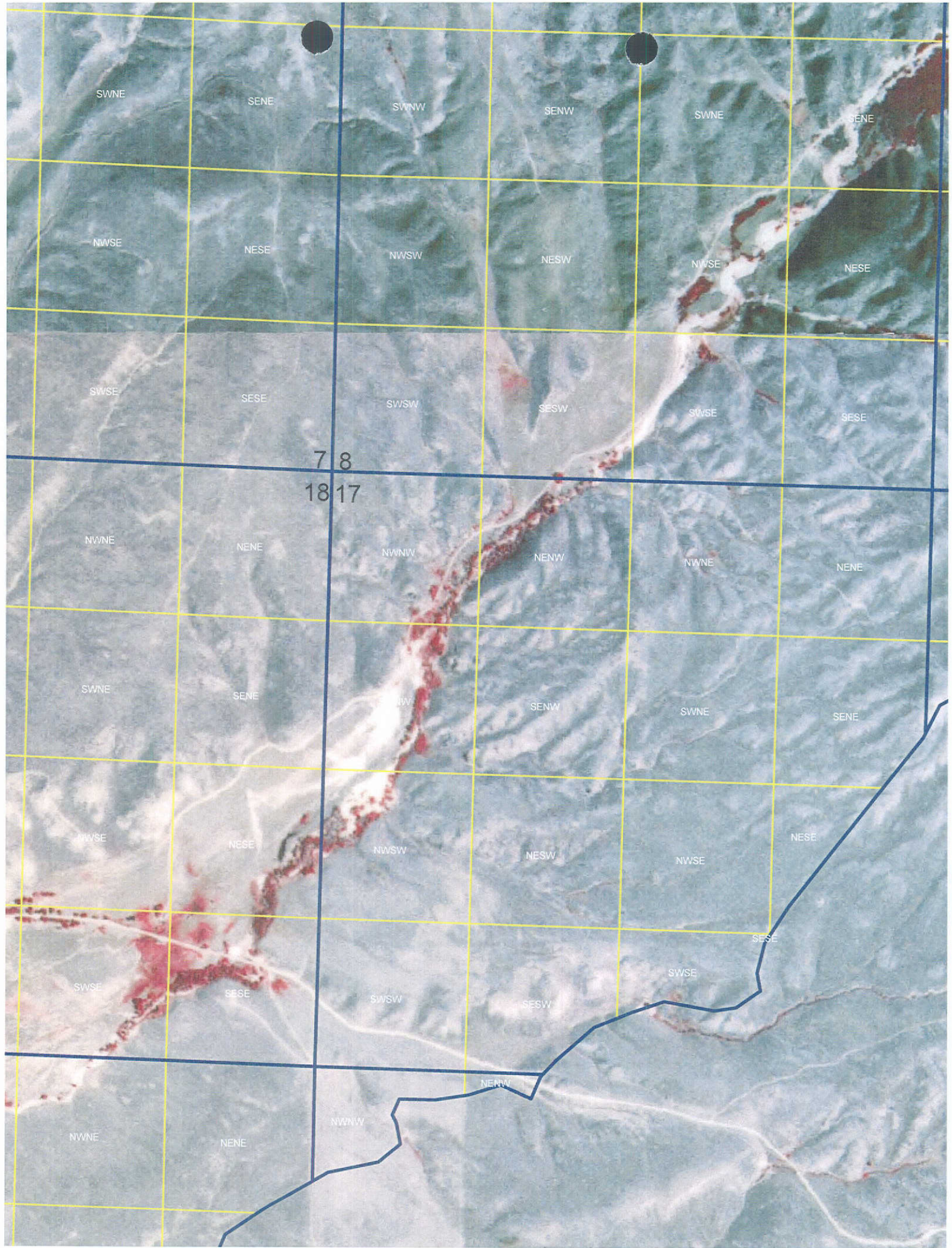
700 0 700 1400 2100 Feet

IDWR

Prepared by: Sandy Egbert

Date: 9-28-05

1987 Photography



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02046
Date Received: 12/07/1989
Receipt No: CO13371
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TWO PLUS RANCH
Address: 274 MOBLEY LANE
BOISE, ID 83712
208-342-8862
2. Date of Priority: NOV 07, 1906
3. Source: INDIAN CREEK
Trib. to: INDIAN CREEK RESERVOIR
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	05E	8	SW	SE			ELMORE
		17	SW	NW			ELMORE
5. Description of diverting works:
DAMS IN CREEK, DITCHES TO PLACE OF USE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	3.400		
7. Total Quantity Appropriated is:
3.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 225.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	05E	8	SE	SW		IRR	40.0
Section Acres							40.0

A63-02046

Page 1

Date: 12/07/89

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	05E	17	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			SW	NE		IRR	20.0
			SW	NW		IRR	5.0
					Section Acres		65.0
		18	SE	NE		IRR	15.0
			NE	SE		IRR	40.0
			NW	SE		IRR	15.0
					Section Acres		70.0
					Total Acres		175.0

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 1951.

15. Basis of Claim: LICENSE
Water Right Number: 2376

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Owner of _____ Title

Two Plus Ranches , that I have signed the foregoing Organization

document in the space below as Owner of _____ Title

Two Plus Ranches and that the statements contained in the Organization
foregoing document are true and correct.

William C. Davis
Signature of Authorized Agent

Owner Two Plus Ranches
Title and Organization

12-7-89
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of DECEMBER 19 89

Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

Identification No. #1951

Transfer No. 63 2046

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

**APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Western Land & Cattle Company

Post office address Mayfield Stage, Boise, Idaho

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____

b. License No. 63-2046 issued by the State of Idaho, Department of Reclamation.

3. Source of water Indian Creek tributary to Indian Creek Reservoir +
(Name of stream or source)

4. Date of Priority 11/7/1906

5. Amount of water a. 3.4 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from March 1 to Nov. 1
(Month, Day) (Month, Day)

7. Original location of point of diversion is SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19

Township 1 N., Range 5 E., S.M. in Elmore County;

Additional points of diversion, if any at a point near quarter section line between
Northwest quarter and Southwest quarter of Sec. 19, T. 1 N., R. 5 E., S.M.

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N.	5 E.	24			35					40	30	30			30				165

Total number of acres presently irrigated 165

63 2046

2046

- b. Do you intend to make the transfer permanent? yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

yes

Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.
- I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 11th day of February, 1974

W. J. H. Foster Co.
(Applicant)

Barbara G. Holt
(Notary Public)

My commission expires 6-15-77

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2046 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 26 day of March, 1974

Richard L. ...
Director
Department of Water Administration

Rec'd # 13668 FOR DEPARTMENT USE ONLY

Received by SEP Date 2-06-74 Protest filed by: _____ Date _____

Prelim. check by SEP Date 5 Feb 1974

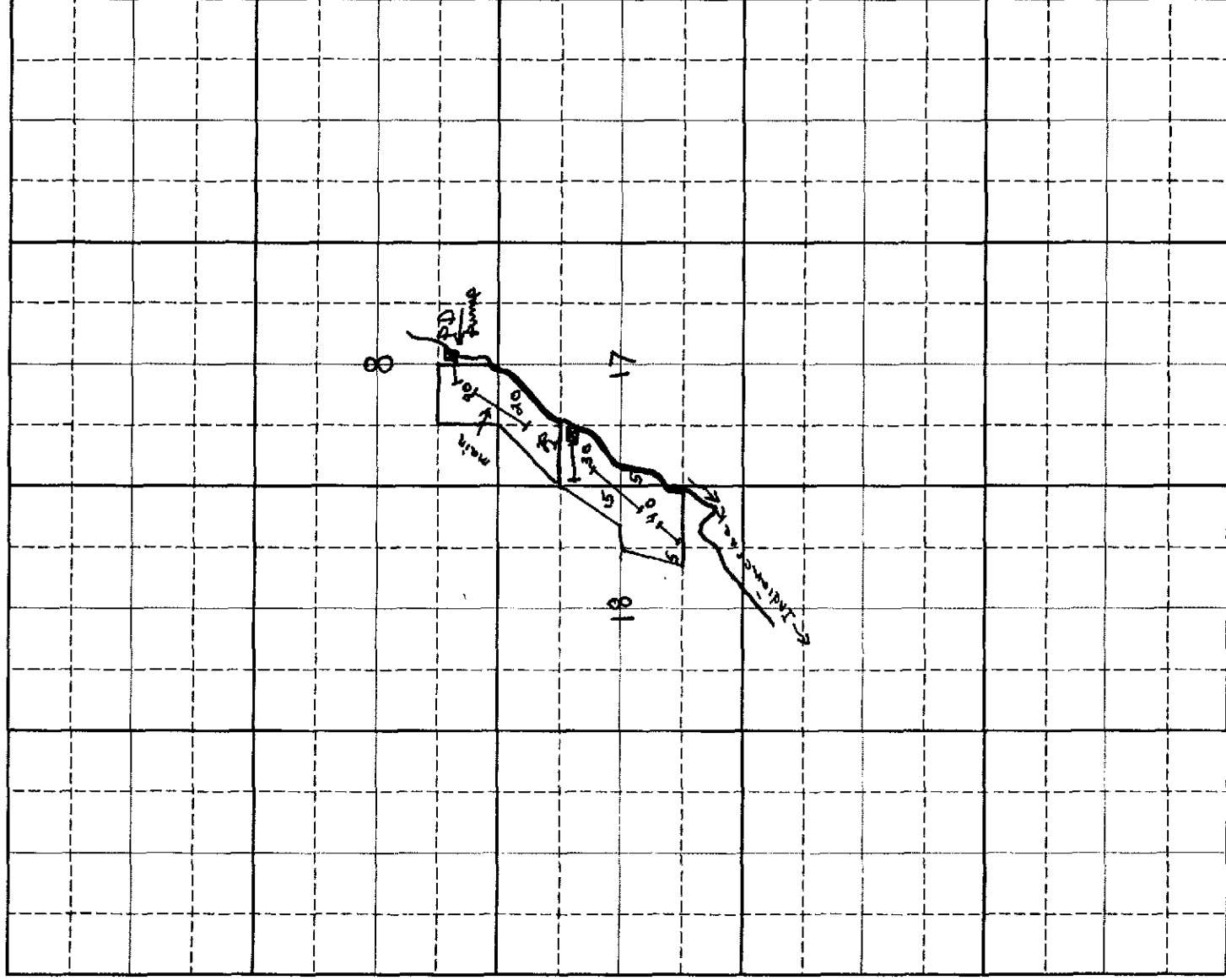
Fee received by SEP Date 2/06/74 Fee \$ 30.00

Approved for publication by _____

Published in Wt. News Times Dates 2-14-2-21-74

Hearing held _____

Watermaster Recommendation sent _____



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired. Land acquired
by purchase from Gem Valley Ranches who acquired it from owner unknown from
Jennie L. Beck of Boise, Idaho

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 3.4 c.f.s. and/or acre feet
- b. New point of diversion: SW 1/4 NW 1/4, Section 17, Township 1 N.
Range 5 E., B.M. & SW 1/4 Sec. 8, T. 1 N., R. 5 E., B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Pump from
stream to sprinkler systems.
- d. Is water to be conveyed to the lands previously irrigated? Yes No X
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
To provide a more economical usage of the water on better land.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 N.	5 E.	8												40					40
		17	20	20	20				5										65
		18				15								40	15				55

Total number of acres to be irrigated 165

Elmore County *
Indian Creek **
3.4 sec.ft. *
Irrigation *
Priority-11-7-06 *

STATE OF IDAHO

Water License No. 2376.

WHEREAS, On the 7th day of November, A. D. 1906, JENNIE L. BECK of Boise, County of Ada and State of Idaho, duly made application (No.3356) to me for a permit to use 4 cubic feet per second of the waters of Indian Creek, County of Elmore, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of November, A. D. 1906, Permit No. 2376 was issued to said applicant for the diversion said water, and providing for the completion of the works of diversion therein described on or before the 10th day of November, A. D. 1908, and for the application to beneficial use of said water on or before the 10th day of November, A.D.1910, and,

WHEREAS, On the 25th day of January, A. D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.4 cubic feet per second of said waters, as evidenced by my Certificate No. 2376, dated January 28, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.4 cubic feet per second of water, with date of priority of November 7, 1906, and,

WHEREAS, On the 25th day of January, A. D. 1908, proof was duly made of the application to beneficial use of 3.4 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JENNIE L. BECK of Boise, Idaho, the holder and owner of said Permit No. 2376, a perpetual right, dating from November 7, 1906, to the use of 3.4 cubic feet per second of the waters of Indian Creek, in the County of Elmore and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near quarter section line between Northwest quarter and Southwest quarter of Section 19, T.1 N., R. 5 E. B. M. and conducted to and upon about (35 acres in Southwest quarter of Northeast quarter (SW4 NE4); 30 acres in Northwest quarter of Southeast quarter (NW SE); 40 acres in Southeast quarter of Northwest quarter (SE NW); 30 acres in Northeast quarter of Southwest quarter (NE SW); 30 acres in Northwest quarter of Southwest quarter (NW SW)) Sec. 24, T.1 N., R. 5 E. B. M. for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office at Boise, Idaho, this 28th day of January,
A. D. Nineteen Hundred and eight.

Jan. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded January 28, 1908.

RECEIVED

MAY 16 2006

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 63-2046

(Insert water right number
From the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Casa Del Norte, LP

Address: c/o John McCallum

11204 N Bar 21 Dr.; Glens Ferry, ID 83623

Daytime Phone: 208-366-7931

Name & Address of Attorney, if any:

Bruce M. Smith

225 North Ninth Street, Suite 420

Boise, ID 83702

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: United States of America acting through the Department of Interior

Address: Bureau of Land Management, Idaho State Office

1387 South Vinnell Way, Boise, ID 83709-1657

COPY

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **VERIFICATION (Must be Completed)**

State of Idaho)
)ss.
County of Ada)

Bruce M. Smith , duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Subscribed and sworn to before me on: _____

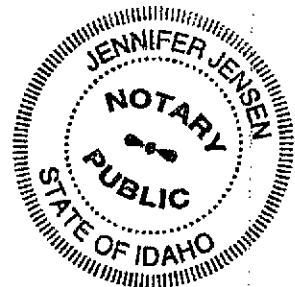
(Signature of person filing response)

(Attorney signing in representative capacity)

Notary Public for _____

Residing at: _____

My Commission Expires: 6/5/2006



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F:

CERTIFICATE OF MAILING

I certify that on May 15th 20⁰⁶, 19906, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Casa Del Norte, LP
Address: c/o John McCallum; 11204 N Bar 21 Dr.; Glens Ferry, ID 83623

3. One copy to the party who filed the objection at the following address:

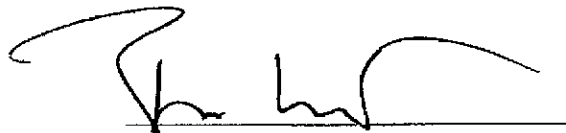
Name: United States of America acting through the Department of Interior, BLM
Address: 1387 South Vinnell Way, Boise, ID 83709-1657

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

RECEIVED
APR 21 2005
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase 63-02046
(Insert water right number)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Two Plus Ranch
Address: 274 Mobley Lane; Boise, Idaho 83712

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

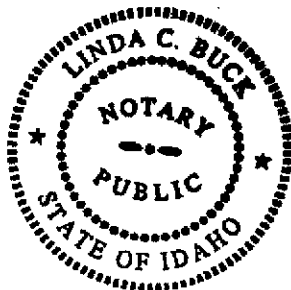
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Dawn Nagin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: *April 19, 2006*

Linda C. Buck
Linda C. Buck



Notary Public for Idaho

Residing at: Mountain Home,

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 4-19-, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Two Plus Ranch
Address: 274 Mobley Lane; Boise, Idaho 83712
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

12/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2046
NAME AND ADDRESS: TWO PLUS RANCH
274 MOBLEY LN
BOISE ID 83712

POU on BLM:
Claimant is not authorized to farm public lands.

SOURCE: INDIAN CREEK
QUANTITY: 2.700 CFS
PRIORITY DATE: 11/07/1906

TRIBUTARY: INDIAN CREEK RESERVOIR

POINT OF DIVERSION:
T01N R05E S8 SWSE Within ELMORE County
T01N R05E S17 SWNW Within ELMORE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.700 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R05E S08	SESW	23.00	T01N R05E S17	NENW	13.00
T01N R05E S17	NWNW	10.00	T01N R05E S17	SWNW	24.00
T01N R05E S17	NWSW	11.00	T01N R05E S18	SENE	6.00
T01N R05E S18	NESE	40.00	T01N R05E S18	NWSE	8.00

BLM

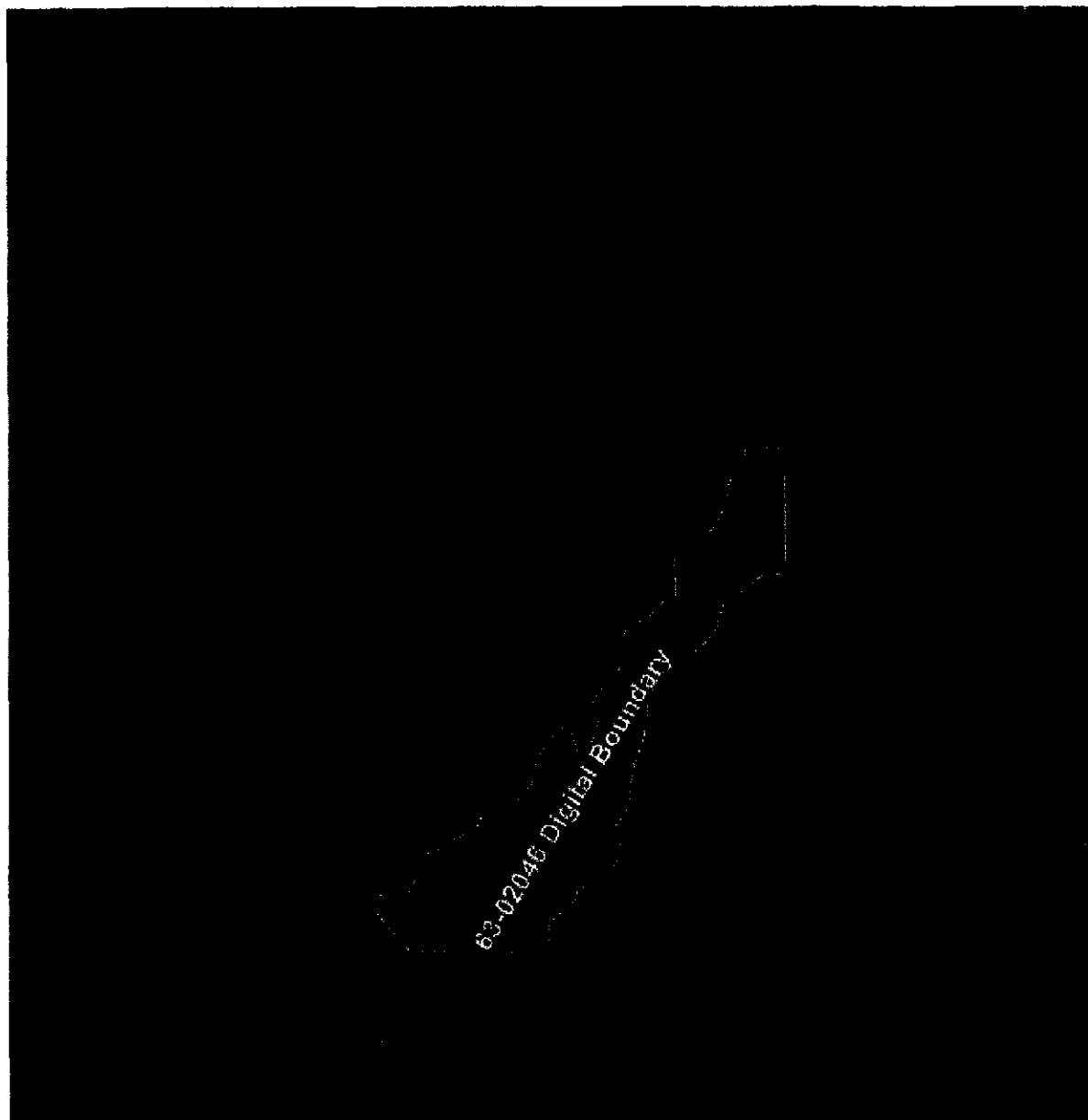
135 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

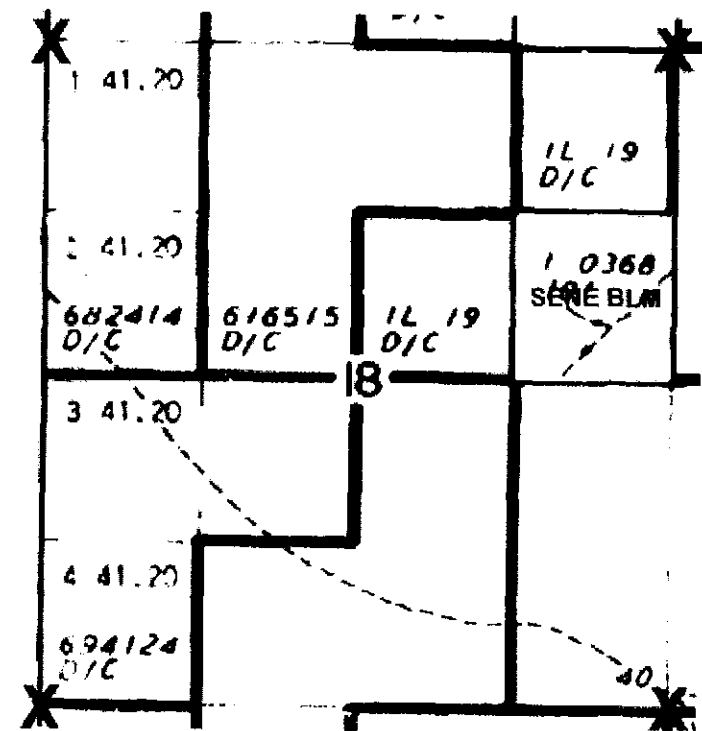
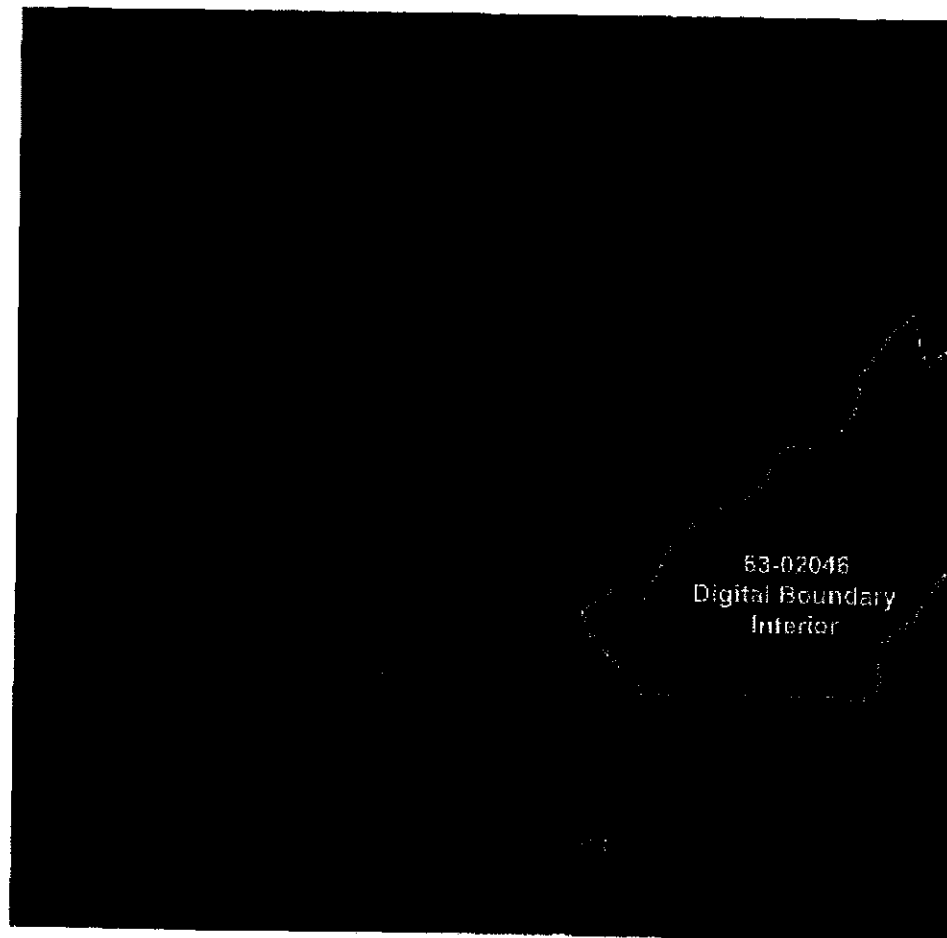
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

27-02046



27-02046
T01N R05E S18



-Remove POU on BLM and adjust shapefile accordingly.

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

101 254736 Mail 11111 Term
 INFORMATION NOT FOR RELEASE
 PUBLIC USE

101 298733 Non-Hist Train
Historical information only, does not denote
public access

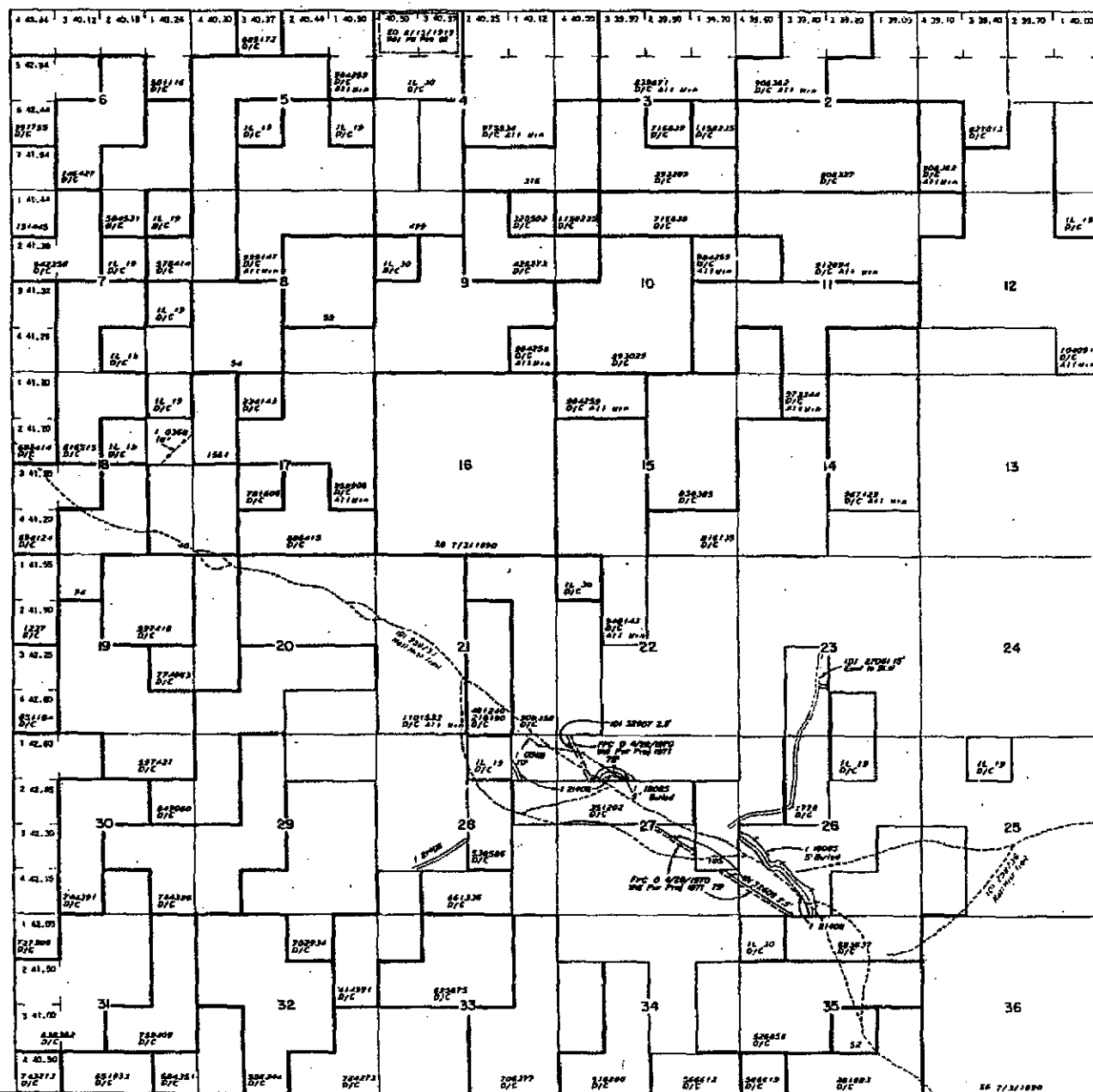
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP - 8 1998	

USE PLATE 2

Future Work

T. 14
R. 5E



SCALE in English

0 10 20 30 40

Lat. $43^{\circ}29'N$
Long. $15^{\circ}50'W$
15-5 f

WARRANT STATEMENTS

This plot at the Bureau's Record of Entry, and should be were only a graphic display of the teamwork among the. For order Bureau do not reflect the changes which may have been

09/28/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2046

NAME AND ADDRESS: TWO PLUS RANCH
274 MOBLEY LN
BOISE ID 83712

SOURCE: INDIAN CREEK

TRIBUTARY: INDIAN CREEK RESERVOIR

QUANTITY: 2.700 CFS

PRIORITY DATE: 11/07/1906

POINT OF DIVERSION:

T01N R05E S8 SWSE Within ELMORE County

T01N R05E S17 SWNW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.700 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01N R05E S08	SESW	23.0	T01N R05E S17	NENW	13.0
T01N R05E S17	NWNW	10.0	T01N R05E S17	SWNW	24.0
T01N R05E S17	NWSW	11.0	T01N R05E S18	SENE	6.0
T01N R05E S18	NESE	40.0	T01N R05E S18	NWSE	8.0

135 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

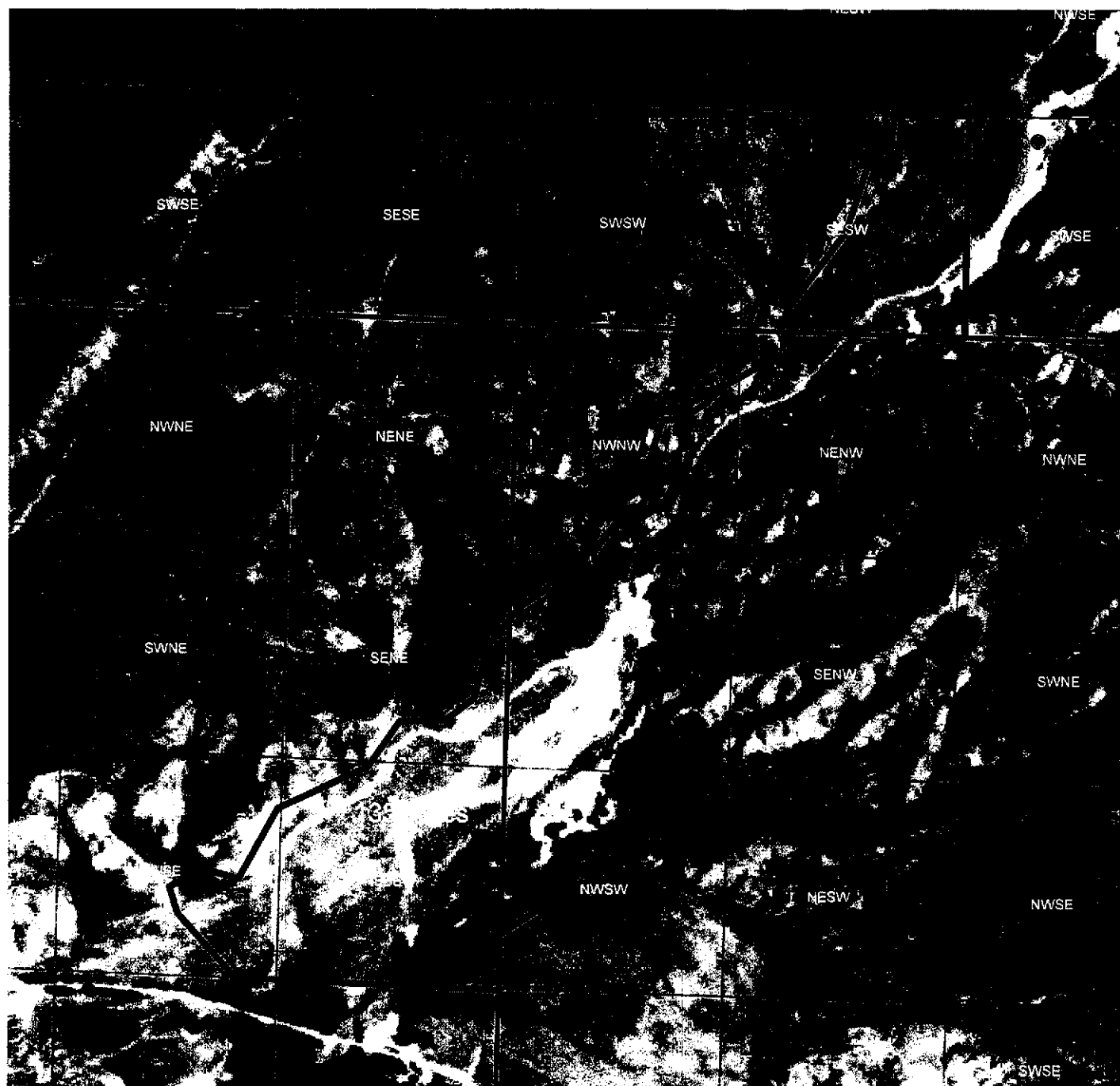
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

63-2046

T01N R05E S8, 17, 18



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



700 0 700 1400 2100 Feet

IDWR

Prepared by: Sandy Egbert

Date: 9-28-05

1987 Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2046 V1

WATER RIGHT NUMBER: 63-2046 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WESTERN LAND & CATTLE CO
	BOISE, ID
Original Owner	JENNIE L BECK
	, ID
Current Owner	TWO PLUS RANCH 274 MOBLEY LN BOISE, ID 83712 (208)342-8862

Priority Date: 11/07/1906

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK	INDIAN CREEK RESERVOIR

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.700 CFS	
	<u>Total Diversion:</u>	2.700 CFS	

Location of Point(s) of Diversion

INDIAN CREEK	SW1/4SE1/4	Sec. 8, Twp 01N, Rge 05E, B.M.
ELMORE County		
INDIAN CREEK	SW1/4NW1/4	Sec. 17, Twp 01N, Rge 05E, B.M.
ELMORE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	05E	8												23.0					23.0
01N	05E	17					13.0	10.0	24.0		11.0								58.0
01N	05E	18				6.0								40.0	8.0			54.0	

Total Acres: 135

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2046 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. segbert 9/28/2005 POU

Comment: Part of the POU was claimed in the NE Q of section 17 which seems an obvious error according to the map in the file and the aerial photography so the POU was changed to the NW Q of section 17 in the Recommendation. The acres were reduced because there was not 165 acres of irrigation showing on the 1987 aerial photo. The POU was reduced to 135 acres.

2. segbert 9/28/2005 Quantity

Comment: The diversion rate was reduced from 3.4 (on the claim) to 2.7 to reflect the reduction in acres on the POU

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/28/2005 1:10:48 PM	segbert			Active
POD	9/28/2005 1:11:06 PM	segbert			Active
Source	9/28/2005 1:12:55 PM	segbert			Active
POU	9/28/2005 1:13:47 PM	segbert			Active
Use	9/28/2005 1:26:59 PM	segbert			Active
Season	9/28/2005 1:35:58 PM	segbert			Active
Quantity	9/28/2005 1:39:32 PM	segbert			Active
Summary			09/28/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2046 V1

Use	9/28/2005 1:27:00 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	9/28/2005 1:11:52 PM	segbert	Updated shape
POD	9/28/2005 1:12:29 PM	segbert	Updated shape
Source	9/28/2005 1:12:56 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/28/2005 1:13:47 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	9/28/2005 1:26:35 PM	segbert	Updated shape for Active POU
Quantity	9/28/2005 1:39:32 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2046 V1

Summary	9/28/2005 1:50:17 PM	segbert	<p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p>
General	9/28/2005 1:10:49 PM	segbert	<p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>
POD	9/28/2005 1:11:07 PM	segbert	<p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(Yes) 5. Can the claimed POD be verified using the water right file?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>
Season	9/28/2005 1:35:59 PM	segbert	<p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(No) 4. Does the Decree or License have a Period of Use?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>
POD	9/28/2005 1:49:33 PM	segbert	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2046

WATER RIGHT NUMBER: 63-2046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TWO PLUS RANCH 274 MOBLEY LN BOISE, ID 83712 (208)342-8862
Original Owner	WESTERN LAND & CATTLE CO
Original Owner	BOISE, ID JENNIE L BECK

, ID
Priority Date: 11/07/1906 ✓

Basis: License ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK ✓	INDIAN CREEK RESERVOIR

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/01 to 11/01	3,400 CFS	—
	<i>Source 3-15 to 11-15</i>	<i>2.7</i>	
	<u>Total Diversion:</u>	3,400 CFS	

Location of Point(s) of Diversion

INDIAN CREEK ✓	SW1/4NW1/4 ✓	Sec. 17, ✓ Twp 01N, Rge 05E, B.M.
ELMORE County		
INDIAN CREEK ✓	SW1/4SE1/4 ✓	Sec. 8, ✓ Twp 01N, Rge 05E, B.M.
ELMORE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	05E	8																	40.0 23
01N	05E	17	20.0	20.0	20.0		13	10.0	24		11								65.0 58
01N	05E	18													40.0	15.0			70.0 54

Total Acres: 175 ✓

165 135

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2046

1. TRANS. 1951.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 12/7/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

Priority Date Data Entry Form

Claim Number 63-2046

Claimed Priority Date: 11/7/1906

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 11/7/1906

Water Right Basis: License

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

See 1908 license

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form**Claim Number 63-2046****Claimed Point of Diversion and Source**

T01N R05E S8 SWSE Within ELMORE County Source: INDIAN CREEK INDIAN CREEK RESERVOIR

T01N R05E S17 SWNW Within ELMORE County Source: INDIAN CREEK INDIAN CREEK RESERVOIR

☒ **Use Claimed POD and Source as Recommended POD and Source****Water Right Point of Diversion and Source**

T01N R05E S8 SWSE Within ELMORE County

T01N R05E S17 SWNW Within ELMORE County

Recommended Point of Diversion and Source**Source Information**

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Document how the POD and Source were verified:

*Transfer 63 2046 (#1951) changed 1 point
of diversion from the license and related
a point of diversion. Transfer dated 3-26-1974*

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 63-2046

Claimed Place Of Use

T01N R05E S08	SESW	40.0	T01N R05E S17	NENE	20.0
T01N R05E S17	NWNE	20.0	T01N R05E S17	SWNE	20.0
T01N R05E S17	SWNW	5.0	T01N R05E S18	SENE	15.0
T01N R05E S18	NESE	40.0	T01N R05E S18	NWSE	15.0

Total Acres 175

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T01N R05E S08	SESW	40.0	T01N R05E S17	NENE	20.0
T01N R05E S17	NWNE	20.0	T01N R05E S17	SWNE	20.0
T01N R05E S17	SWNW	5.0	T01N R05E S18	SENE	15.0
T01N R05E S18	NESE	40.0	T01N R05E S18	NWSE	15.0

Total Acres 175

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	SE	8	SESW		Elmore		23	Irrigation
1N	SE	17	NE NW		"		13	"
			NW NW		"		10	"
			SW NW		"		24	"
			NW SW		"		11	"
1N	SE	18	SE NE		"		6	"
			NE SE		"		40	"
			NW SE		"		8	"
Total Acres							135	

Document how the POU was verified:

Changed POU claimed in NE Q to the NW Q
 which was an obvious error by looking at the
 aerial photography. ^{a map in file} Reduced the acreage to match
 what looks irrigated on the 1987 photography.
 This claim was from an old license and no field
 exam was ever done

Reviewer:

HE

Date:

Purpose of Use Data Entry Form

Claim Number 63-2046

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 63-2046

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01	11/01	3.4	
Overall Diversion Rate	Overall Diversion Volume			

Transfer 3-15 11-15
3.4 2.7

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01	11/01	3.4	
Overall Diversion Rate	Overall Diversion Volume			

3.4

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

135 acres x .02 cfs = 2.7

Rate was reduced because acres were reduced

Reviewer: _____

Date: _____

Contacts Data Entry Form**Claim Number: 63-2046**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	TWO PLUS RANCH	274 MOBLEY LN	BOISE	ID	83712	(208)342-8862
Original Owner	WESTERN LAND & CATTLE CO		BOISE	ID		
Original Owner	JENNIE L BECK			ID		

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____

Date: _____



SENE

SENE

SENE

SENE

SENE

SENE

NWSE

NESE

NWSE

NWSE

NWSE

NESE

SWSE

SESE

SWSE

SESE

SWSE

SESE

NWNE

NENE

NWNE

NENE

NWNE

NENE

SWNE

SENE

SENE

SWNE

SENE

SE

NWSE

SENE

NWSE

NESE

SESE

SWSE

NWNE

NENE

NENE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2046

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	
63-29423	Claim	01N	05E	8	SE	SW		STOCKWATER		SAND S
63-29425	Water Right	01N	05E	8	SE	SW		DOMESTIC		SAND S
63-29425	Water Right	01N	05E	8	SE	SW		STOCKWATER		SAND S
63-2046	Claim	01N	05E	8	SE	SW		IRRIGATION	40/175	TW
63-2046	Water Right	01N	05E	8	SE	SW		IRRIGATION	40/175	WESTER
63-2046	Claim	01N	05E	17	NE	NE		IRRIGATION	20/175	TW
63-2046	Water Right	01N	05E	17	NE	NE		IRRIGATION	20/175	WESTER
63-2046	Water Right	01N	05E	17	NW	NE		IRRIGATION	20/175	WESTER
63-2046	Claim	01N	05E	17	NW	NE		IRRIGATION	20/175	TW
63-2046	Claim	01N	05E	17	SW	NE		IRRIGATION	20/175	TW
63-2046	Water Right	01N	05E	17	SW	NE		IRRIGATION	20/175	WESTER
63-2046	Claim	01N	05E	17	SW	NW		IRRIGATION	5/175	TW
63-29423	Claim	01N	05E	17	SW	NW		STOCKWATER		SAND S
63-2046	Water Right	01N	05E	17	SW	NW		IRRIGATION	5/175	WESTER
63-2046	Water Right	01N	05E	18	SE	NE		IRRIGATION	15/175	WESTER
63-2046	Claim	01N	05E	18	SE	NE		IRRIGATION	15/175	TW
63-2046	Claim	01N	05E	18	NE	SE		IRRIGATION	40/175	TW
63-2046	Water Right	01N	05E	18	NE	SE		IRRIGATION	40/175	WESTER
63-29423	Claim	01N	05E	18	NE	SE		STOCKWATER		SAND S
63-2046	Claim	01N	05E	18	NW	SE		IRRIGATION	15/175	TW
63-29422	Claim	01N	05E	18	NW	SE		STOCKWATER		SAND S
63-2046	Water Right	01N	05E	18	NW	SE		IRRIGATION	15/175	WESTER

Overlaps

63-29423 ✓

63-29422

*63-29423 -
instream stockwater
decreed 5-4-2004
63-29422
stockwater*